

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SALESTRAQ AMERICA, LLC, a Nevada
limited-liability company,

Plaintiff,

v.

JOSEPH A. ZYSKOWSKI, an individual;
DEVMARKETING, INC., a Nevada
corporation,

Defendants.

Case No.: 08-CV-1368-LRH-LRL

STIPULATION AND ORDER

Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and the Local Rules of the District of Nevada, SALESTRAQ AMERICA, LLC, and Defendants, JOSEPH A. ZYSKOWSKI and DEVMARKETING, INC., hereby stipulate and agree as follows, and respectfully request that the Court issue the accompanying Order:

1. Good cause appearing, that an extension of time for which to file the Joint Pre-Trial Order in the present case be granted until thirty (30) days after the Court enters an Order regarding Defendants': (a) Motion for Reconsideration, and (b) Motion for Order Consolidating

1 Defendants' Counterclaims with the Pending Action to make clear which claims will go forward
2 in the present action.

3 **IT IS SO STIPULATED.**

4 Dated this 12th day of February, 2010.

5 Submitted by:

6 GIBSON LOWRY BURRIS LLP

7
8 By **/s/ James P. Jensen**

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14

15 Dated this 12th day of February, 2010.

16 LAW OFFICES OF JOHN R. BENEFIEL

17
18 By **/s/ John R. Benefiel**

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22 Attorneys for Defendant,
Joseph A. Zyskowski and devMarketing, Inc.
23

24 **ORDER**

25 **IT IS SO ORDERED.**

26 Dated: February 16, 2010.



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UNITED STATES DISTRICT JUDGE